



STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
DIVISION OF WATER RESOURCES

William R. Snodgrass - Tennessee Tower  
312 Rosa L. Parks Avenue, 11<sup>th</sup> Floor  
Nashville, Tennessee 37243-1102

May 14, 2015

Mr. Bobby Winters, Terminal Manager  
Blanchard Terminal Company LLC  
e-copy: BRWinters@marathonpetroleum.com  
1409 51st Ave. N.  
Nashville, TN 37209

**Re: State Operating Permit No. SOP-14021  
Blanchard Terminal Company LLC - Nashville (51st Avenue) Terminal  
Nashville, Davidson County, Tennessee**

Dear Mr. Winters:

In accordance with the provisions of the Tennessee Water Quality Control Act, Tennessee Code Annotated (T.C.A.), Sections 69-3-101 through 69-3-120, the Division of Water Resources hereby issues the enclosed State Operating Permit. The continuance and/or reissuance of this Permit is contingent upon your meeting the conditions and requirements as stated therein.

Please be advised that a petition for permit appeal may be filed, pursuant to T.C.A. Section 69-3-105, subsection (i), by the permit applicant or by any aggrieved person who participated in the public comment period or gave testimony at a formal public hearing whose appeal is based upon any of the issues that were provided to the commissioner in writing during the public comment period or in testimony at a formal public hearing on the permit application. Additionally, for those permits for which the department gives public notice of a draft permit, any permit applicant or aggrieved person may base a permit appeal on any material change to conditions in the final permit from those in the draft, unless the material change has been subject to additional opportunity for public comment. Any petition for permit appeal under this subsection (i) shall be filed with the technical secretary of the Water Resources Board within thirty (30) days after public notice of the commissioner's decision to issue or deny the permit. A copy of the filing should also be sent to TDEC's Office of General Counsel.

If you have questions, please contact the Nashville Environmental Field Office at 1-888-891-TDEC; or, at this office, please contact Mr. Wade Murphy at (615) 532-0666 or by E-mail at [Wade.Murphy@tn.gov](mailto:Wade.Murphy@tn.gov).

Sincerely,

Vojin Janjić  
Manager, Water-based Systems

Enclosure

cc/ec: Water-based Systems File  
Nashville Environmental Field Office  
Mr. Hugh Garrison, Environmental Laboratory Superintendent, Metro Water Services Nashville, [hugh.garrison@nashville.gov](mailto:hugh.garrison@nashville.gov)  
Ms. Claire Sichko, P.E., Staff Engineer, Arcadis U. S., Inc., [claire.sichko@arcadis-us.com](mailto:claire.sichko@arcadis-us.com)  
Mr. Scott Fellwock, , [scott.fellwock@nashville.gov](mailto:scott.fellwock@nashville.gov)  
Mr. Timothy J. Aydt, President, Blanchard Terminal Company LLC, [TJAydt@MarathonPetroleum.com](mailto:TJAydt@MarathonPetroleum.com)

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
DIVISION OF WATER RESOURCES**

William R. Snodgrass - Tennessee Tower  
312 Rosa L. Parks Avenue, 11th Floor  
Nashville, Tennessee 37243-1102

**Permit No SOP-14021**

**PERMIT  
For the operation of Wastewater Treatment Facilities**

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In accordance with the provision of Tennessee Code Annotated section 69-3-108 and Regulations promulgated pursuant thereto:

**PERMISSION IS HEREBY GRANTED TO**

Blanchard Terminal Company, LLC  
Nashville, Davidson County, Tennessee

**FOR THE OPERATION OF**

A holding tank/haul system to dispose of domestic wastewater from a bulk petroleum storage facility located at latitude 36.164504 and longitude -86.849021, in Davidson County, Tennessee.

This permit is issued as a result of the application and engineering report filed on November 21, 2014, and supplemental information consisting of an engineering drawing of the system submitted electronically on February 25, 2015, and construction plans and specifications received on April 14, 2015 (approved May 12, 2015), in the office of the Tennessee Division of Water Resources in support of the above application, all of which are filed with and considered as a part of this permit, together with the following named conditions and requirements.

**This permit shall become effective on:                      June 01, 2015**

**This permit shall expire on:                                      May 31, 2020**

**Issuance date:                                                              May 13, 2015**



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for Tisha Calabrese Benton  
Director

<b>PART I</b>
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This permit allows the operation of a holding tank/haul system to dispose of domestic wastewater at the above described location. The result of this system is that there is no discharge of wastewater to a surface stream and no contamination of any subsurface waters.

Use of this system to provide sewage service to any structure where use is for other than work-day use (e.g. primary residential unit) is prohibited.

The permittee must provide for wastewater to be pumped from this system on a regular schedule sufficient to ensure that a reasonable margin of safety is provided against the possibility of an overflow. Records of when pumping takes place must be generated at the facility for review by the Division of Water Resources over the entire life of this system and retained per Part II.A.3. Quarterly operation reports will be submitted to Division of Water Resources, Nashville Environmental Field Office, 711 R.S. Gass Blvd., Nashville, TN, 37216, giving pumping dates and volume of waste pumped on each trip. Reports shall also identify the established pumping schedule and the associated alarm setting level being used for system operation. Pumping frequencies should be sufficient to ensure that the tank remains below 3/4 full, in terms of volume capacity, at all times. Reports shall be submitted by the 15th day of the month following the quarter. For purposes of this part, quarters shall mean the periods of January – March, April – June, July – September, and October – December.

A representative of the owner or the sewage hauling contractor must be present at all times during the pumping of sewage from this system and must visually monitor the transfer operation to ensure that no spillage occurs.

The owner or the sewage hauling contractor must clean up any spillage of sewage that results from this operation of this system. Residuals should be treated with lime.

It is the owner's responsibility to ensure that the sewage hauling contractor performs all work relative to this system in accordance with this permit and good operating procedures.

The system owner shall utilize the services of a septage hauler holding a valid pumper licence with the Division of Water Resources.

Any disposal must be at the Metro Water Services STP in Nashville.

Notwithstanding this permit, the permittee shall remain liable for any damages sustained by the State of Tennessee, including but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge of wastewater to any surface or subsurface waters. Additionally, it shall be the responsibility of the permittee to conduct its

wastewater treatment and/or disposal activities in a manner such that public or private health hazards or nuisances will not be created.

This permit is subject, at any time, to review by the Tennessee Department of Environment and Conservation, Division of Water Resources.

The permittee shall place a sign at all approaches to the holding tanks. The sign should be clearly visible to the public. The minimum sign size should be two feet by two feet (2' x 2') with one inch (1") letters. The sign should be made of durable material and have a white background with black letters.

**HOLDING TANKS  
SANITARY WASTEWATER  
(PERMITTEE'S NAME)  
(PERMITTEE'S PHONE NUMBER)  
TENNESSEE DIVISION OF WATER  
RESOURCES  
ENVIRONMENTAL FIELD OFFICE-  
NASHVILLE  
PHONE NUMBER: 1-888-891-8332**

<b>PART II</b>
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## **A. GENERAL PROVISIONS**

### **1. Duty to Reapply**

The permittee is not authorized to operate after the expiration date of this permit. In order to receive authorization to operate beyond the expiration date, the permittee shall submit such information and forms as are required to the director no later than 180 days prior to the expiration date.

### **2. Right of Entry**

The permittee shall allow the Director of the Division of Water Resources, or authorized representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises where an effluent source is located or where records are required to be kept under the terms and conditions of this permit, and at reasonable times to copy these records; to review the record/log books of the permittee; and
- b. To inspect at reasonable times any collection, transport, treatment, and pollution management equipment; and
- c. To collect samples at reasonable times of any discharge of wastewater pollutants.

### **3. Availability of Reports**

All reports and log books submitted in accordance with the terms of this permit shall be available for public inspection at the offices of the Division of Water Resources . All reports and data shall be kept for minimum of three years by the permittee.

### **4. Proper Operation and Maintenance**

The permittee shall at all times properly operate and maintain all facilities and systems (and related appurtenances) for collection and treatment which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. This provision requires the operation of backup or auxiliary facilities or similar systems, which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

## 5. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

## 6. Severability

The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, then the application of such provision to other circumstances and to the remainder of this permit shall not be affected thereby.

## 7. Other Information

If the permittee becomes aware that he failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the director, then he shall promptly submit such facts or information.

# **B. CHANGES AFFECTING THE PERMIT**

## 1. Permit Modification, Revocation, or Termination

a. This permit may be modified, revoked and reissued, or terminated for cause as described in Tennessee Code Annotated 69-3-108(f).

b. The permittee shall furnish to the director or his representative, within a reasonable time, any information which may be requested to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit. The permittee shall also furnish to the director, upon request, copies of records required to be kept by this permit.

## 2. Change of Ownership

This permit may be transferred to another person by the permittee if:

a. The permittee notifies the director in writing of the proposed transfer at least 30 days in advance of the proposed transfer date;

b. The notice includes a written agreement between the existing and the new permittees containing a specified date for transfer of permit responsibility, coverage, and liability between them; and

c. The director, within 30 days, does not notify the current permittee and the new permittee of his intent to modify, revoke and reissue, or terminate the permit

and to require that a new application be filed rather than agreeing to the transfer of the permit.

### 3. Change of Mailing Address

The permittee shall promptly provide to the director written notice of any change of mailing address, or contact information. In the absence of such notice the original address and telephone number(s) of the permittee will be assumed to be correct.

## C. NONCOMPLIANCE

### 1. Effect of Noncompliance

Any permit noncompliance constitutes a violation of applicable State and Federal laws and is grounds for enforcement action, permit termination, permit modification, or denial of permit reissuance.

### 2. Reporting of Noncompliance

#### a. 24-Hour Reporting

In the case of any noncompliance, which would cause a threat to public drinking supplies, or any other discharge, which could constitute a threat to human health or the environment, the required notice of noncompliance shall be provided to the appropriate Division Field Office within 24 hours from the time the permittee becomes aware of the circumstances. (The Field Office should be contacted for names and phone numbers of emergency response personnel.)

A written submission must be provided within five days of the time the permittee becomes aware of the circumstances unless this requirement is waived by the director on a case-by-case basis. The permittee shall provide the director with the following information:

- i. A description of the discharge and cause of noncompliance;
- ii. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
- iii. The steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

This written notice shall not be considered as excusing or justifying the failure to comply with this permit.

b. Scheduled Reporting

For instances of noncompliance which are not reported under subparagraph 2. a. above, the permittee shall report the noncompliance on the next quarterly report. The report shall contain all information concerning the steps taken, or planned, to reduce, eliminate, and prevent recurrence of the violation and the anticipated time the violation is expected to continue.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the waters of Tennessee resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**D. LIABILITIES**

1. Civil and Criminal Liability

The permittee is subject to civil and criminal liability for violation of this permit. Notwithstanding this permit, the permittee shall remain liable for any damages sustained by the State of Tennessee, including but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge of wastewater to any surface or subsurface waters. Additionally, notwithstanding this Permit, it shall be the responsibility of the permittee to conduct its wastewater treatment and/or discharge activities in a manner such that public or private nuisances or health hazards will not be created.

2. Liability Under State Law

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law.



**RATIONALE**

**BLANCHARD TERMINAL COMPANY, LLC**

**NASHVILLE (51<sup>ST</sup> AVE) TERMINAL**

**STATE OPERATION PERMIT NO. SOP-14021**

**Nashville, Davidson County, Tennessee**

**Permit Writer: Wade D. Murphy**

**FACILITY CONTACT INFORMATION:**

Mr. Bobby Winters, Terminal Manager

Phone: (615) 297-3521

BRWinters@marathonpetroleum.com

1409 51<sup>st</sup> Avenue N

**Revisions:**

Based on comment received via email on the draft permit from the design engineering company on March 30, 2015, the final permit revises the third paragraph in Part 1. During startup, the company plans to establish a pumping frequency based on regular wastewater generation from company employees. The pumping schedule and alarm level setting will be based on this demand. The permit language is revised to require the permittee to report the established pumping schedule and alarm setting level being used for system operation on its quarterly reports. The language in the draft permit, "Reports shall also include the liquid level in the tank prior to each pumping, in terms of the volume of capacity remaining", is replaced in the final permit with, "Reports shall also identify the established pumping schedule and the associated alarm setting level being used for system operation."

The final permit also clarifies in Part I that pumping records will be need to be generated the entire time this system is in use pursuant to this permit and maintained for 3 years.

The final permit revises Part II.C.2.b to require that non-compliance reporting that does not fall into the 24-hour notification category be included on the next quarterly report rather than on an annual report. This permit did not intend for there to be a separate report. The permit does not expect the permittee to certify there was no noncompliance but rather to only report the incidents of known non-compliance.

**Permittee:**

Blanchard Terminal Company, LLC operates a bulk fuel storage facility at this location. The site employs five persons and generates approximately 120 gallons of domestic wastewater daily from 2 toilets and 2 sinks.

<b>Project History:</b>	<p>The company purchased this property in 2013 with a failing septic system. The Metro Nashville Health Department had initiated action against the previous owner for the failing onsite system. The previous owner had septage pumped and hauled to prevent sewage resulting in a public health hazard. Remaining site soils have been disturbed and are otherwise unsuitable for a septic system repair. The current owner hired an engineering design consultant to design a solution. The engineering evaluation identified pump and haul of wastewater as the only practical option. Connection to public sewer by several routes is impractical due to the costs and risks associated with onsite industrial piping or a bore under a railroad. The design will allow septage hauler service, via a locked box, without requiring direct access to the fuel storage yard.</p>
<b>Project Status:</b>	<p>The system construction is targeted for May 2015.</p>
<b>Facility location:</b>	<p>1409 51<sup>st</sup> Avenue N, Nashville</p>
<b>Sewerage system:</b>	<p>A 3,000 gallon , water-tight, concrete tank with a high-water alarm system and truck connection access via a locked box at the site perimeter fence.</p>
<b>Permit period:</b>	<p>This permit will be issued for a 5 year period effective from the issuance date on the title page.</p>
<b>Bond/Fees:</b>	<p>The performance bond amount for this activity pursuant to TCA 69-3-122 is set at \$0.00, for the following reason(s): This system replaces a subsurface disposal system for which no bonding applies. This company is only providing sewer service to its own employees. System abandonment will not result in generation of wastewater. In the case of system failure, complete replacement of the system would require little time and the company can readily contract for portable toilet service in Nashville while a system repair is made.</p> <p>An annual maintenance fee will apply per Rule 0400-40-11 in the amount of \$350.00 for any part of a fiscal year that the permit is effective. For billing purposes, the fiscal year runs July 1<sup>st</sup> through June 30<sup>th</sup>.</p>